

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-05 CIAE-00 COME-00 DODE-00
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FM AMEMBASSY LONDON
TO SECSTATE WASHDC 8817

UNCLAS LONDON 20313

E.O. 11652: N/A
TAGS: EAIR, UK
SUBJECT: CIVAIR: LAKER AIRWAYS

REF: LONDON 18866; LONDON 12157

1. ALL MAJOR UK PAPERS REPORTED DEC. 15 AND 16 THAT UK
APPEAL COURT DECIDED DEC. 15 IN FAVOR OF LAKER AND
AGAINST DEPT. OF TRADE (REFTELS). PRESIDING JUDGE NOTED
IN HIS DECISION THAT THEN SECRETARY OF STATE FOR TRADE,
PETER SHORE, NO DOUBT HAD ACTED WITH THE BEST MOTIVES IN
DECIDING NOT TO ALLOW SKY TRAIN SERVICES, BUT SAID,
"... I'M AFRAID HE WENT ABOUT IT IN THE WRONG WAY."
THE COURT GAVE THE DEPT. OF TRADE LEAVE TO APPEAL ITS
DECISION TO THE HOUSE OF LORDS.

2. IN DISCUSSING APPEAL COURT DECISION WITH MEMBER OF
CIVIL AVIATION AUTHORITY BOARD, EMBOFF WAS TOLD THAT WHILE
IT LIKELY THAT GOVERNMENT WILL TAKE APPEAL TO HOUSE OF
LORDS, THAT ACTION NOT LIKELY TO PRODUCE DECISION IN
GOVERNMENT FAVOR. IF, IN FACT, HOUSE OF LORDS DECIDES
AGAINST GOVERNMENT, ONLY AVENUE REMAINING TO SALVAGE
GOVERNMENT'S AVIATION POLICY SET OUT IN WHITE PAPER OF
FEBRUARY 1976 WOULD APPEAR TO BE NEW LEGISLATION EXPAND-
ING POWERS OF DEPT. OF TRADE. HOWEVER, DUE HEAVY
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PARLIAMENTARY SCHEDULE, IT WOULD BE DIFFICULT TO GET SUCH
LEGISLATION THROUGH DURING PRESENT PARLIAMENTARY SESSION
IN COMING YEAR.

ARMSTRONG

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